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1 **SECTION 119.** 77.54 (25) of the statutes is amended to read:

2 77.54 (25) The ~~gross receipts~~ sales price from the sale of and the storage of
3 printed material which is designed to advertise and promote the sale of merchandise,
4 or to advertise the services of individual business firms, which printed material is
5 purchased and stored for the purpose of subsequently transporting it outside the
6 state by the purchaser for use thereafter solely outside the state.

7 **SECTION 120.** 77.54 (26) of the statutes is amended to read:

8 77.54 (26) The ~~gross receipts~~ sales price from the sales of and the storage, use,
9 or other consumption of tangible personal property which becomes a component part
10 of an industrial waste treatment facility that is exempt under s. 70.11 (21) (a) or that
11 would be exempt under s. 70.11 (21) (a) if the property were taxable under ch. 70, or
12 tangible personal property which becomes a component part of a waste treatment
13 facility of this state or any agency thereof, or any political subdivision of the state or
14 agency thereof as provided in s. 40.02 (28). The exemption includes replacement
15 parts therefor, and also applies to chemicals and supplies used or consumed in
16 operating a waste treatment facility and to purchases of tangible personal property
17 made by construction contractors who transfer such property to their customers in
18 fulfillment of a real property construction activity. This exemption does not apply
19 to tangible personal property installed in fulfillment of a written construction
20 contract entered into, or a formal written bid made, prior to July 31, 1975.

21 **SECTION 121.** 77.54 (26m) of the statutes is amended to read:

22 77.54 (26m) The ~~gross receipts~~ sales price from the sale of and the storage, use
23 or other consumption of waste reduction or recycling machinery and equipment,
24 including parts therefor, exclusively and directly used for waste reduction or
25 recycling activities which reduce the amount of solid waste generated, reuse solid

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1 waste, recycle solid waste, compost solid waste or recover energy from solid waste.
2 The exemption applies even though an economically useful end product results from
3 the use of the machinery and equipment. For the purposes of this subsection, “solid
4 waste” means garbage, refuse, sludge or other materials or articles, whether these
5 materials or articles are discarded or purchased, including solid, semisolid, liquid or
6 contained gaseous materials or articles resulting from industrial, commercial,
7 mining or agricultural operations or from domestic use or from public service
8 activities.

9 **SECTION 122.** 77.54 (27) of the statutes is amended to read:

10 77.54 (27) The ~~gross receipts~~ sales price from the sale of semen used for
11 artificial insemination of livestock.

12 **SECTION 123.** 77.54 (28) of the statutes is amended to read:

13 77.54 (28) The gross receipts from the sale of and the storage, use or other
14 consumption to or by the ultimate consumer of ~~apparatus or equipment for the~~
15 ~~injection of insulin or the treatment of diabetes and~~ supplies used to determine blood
16 sugar level.

17 **SECTION 124.** 77.54 (29) of the statutes is amended to read:

18 77.54 (29) The ~~gross receipts~~ sales price from the sales of and the storage, use
19 or other consumption of equipment used in the production of maple syrup.

20 **SECTION 125.** 77.54 (30) (a) (intro.) of the statutes is amended to read:

21 77.54 (30) (a) (intro.) The ~~gross receipts~~ sales price from the sale of:

22 **SECTION 126.** 77.54 (30) (c) of the statutes is amended to read:

23 77.54 (30) (c) If fuel or electricity is sold partly for a use exempt under this
24 subsection and partly for a use which is not exempt under this subsection, no tax
25 shall be collected on that percentage of the ~~gross receipts~~ sales price equal to the

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1 percentage of the fuel or electricity which is used for an exempt use, as specified in
2 an exemption certificate provided by the purchaser to the seller.

3 **SECTION 127.** 77.54 (31) of the statutes is amended to read:

4 77.54 (31) The ~~gross receipts~~ sales price from the sale of and the storage, use
5 or other consumption in this state, but not the lease or rental, of used mobile homes
6 that are primary housing units under s. 340.01 (29).

7 **SECTION 128.** 77.54 (32) of the statutes is amended to read:

8 77.54 (32) The ~~gross receipts~~ sales price from charges, including charges for a
9 search, imposed by an authority, as defined in s. 19.32 (1), for copies of a public record
10 that a person may examine and use under s. 16.61 (12) or for copies of a record under
11 s. 19.35 (1).

12 **SECTION 129.** 77.54 (33) of the statutes is amended to read:

13 77.54 (33) The ~~gross receipts~~ sales price from sales of and the storage, use or
14 other consumption of ~~medicines~~ drugs used on farm livestock, not including
15 workstock.

16 **SECTION 130.** 77.54 (34) of the statutes is amended to read:

17 77.54 (34) The ~~gross receipts~~ sales price from the sale of and the storage, use
18 or other consumption of milk house supplies used exclusively in producing and
19 handling milk on dairy farms.

20 **SECTION 131.** 77.54 (35) of the statutes is amended to read:

21 77.54 (35) The ~~gross receipts~~ sales price from the sales of tangible personal
22 property, tickets or admissions by any baseball team affiliated with the Wisconsin
23 Department of American Legion baseball.

24 **SECTION 132.** 77.54 (36) of the statutes is amended to read:

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1 77.54 (36) The ~~gross receipts~~ sales price from the rental for a continuous period
2 of one month or more of a mobile home, as defined in s. 66.0435 (1) (d), that is used
3 as a residence. In this subsection, “one month” means a calendar month or 30 days,
4 whichever is less, counting the first day of the rental and not counting the last day
5 of the rental.

6 **SECTION 133.** 77.54 (37) of the statutes is amended to read:

7 77.54 (37) The ~~gross receipts~~ sales price from revenues collected under s.
8 146.70 (3) and the surcharge established by rule by the public service commission
9 under s. 146.70 (3m) (f) for customers of wireless providers, as defined in s. 146.70
10 (3m) (a) 6.

11 **SECTION 134.** 77.54 (38) of the statutes is amended to read:

12 77.54 (38) The ~~gross receipts~~ sales price from the sale of and the storage, use
13 or other consumption of snowmobile trail groomers and attachments for them that
14 are purchased, stored, used or consumed by a snowmobile club that meets at least
15 3 times a year, that has at least 10 members, that promotes snowmobiling and that
16 participates in the department of natural resources’ snowmobile program under s.
17 350.12 (4) (b).

18 **SECTION 135.** 77.54 (39) of the statutes is amended to read:

19 77.54 (39) The ~~gross receipts~~ sales price from the sale of and the storage, use
20 or other consumption of off-highway, heavy mechanical equipment such as feller
21 bunchers, slashers, delimbers, chippers, hydraulic loaders, loaders,
22 skidder-forwarders, skidders, timber wagons and tractors used exclusively and
23 directly in the harvesting or processing of raw timber products in the field by a person
24 in the logging business. In this subsection, “heavy mechanical equipment” does not
25 include hand tools such as axes, chains, chain saws and wedges.

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1 **SECTION 136.** 77.54 (40) of the statutes is repealed.

2 **SECTION 137.** 77.54 (41) of the statutes is amended to read:

3 77.54 **(41)** The ~~gross receipts~~ sales price from the sale of building materials,
4 supplies and equipment to; and the storage, use or other consumption of those kinds
5 of property by; owners, contractors, subcontractors or builders if that property is
6 acquired solely for or used solely in, the construction, renovation or development of
7 property that would be exempt under s. 70.11 (36).

8 **SECTION 138.** 77.54 (42) of the statutes is amended to read:

9 77.54 **(42)** The ~~gross receipts~~ sales price from the sale of and the storage, use
10 or other consumption of animal identification tags provided under s. 93.06 (1h) and
11 standard samples provided under s. 93.06 (1s).

12 **SECTION 139.** 77.54 (43) of the statutes is amended to read:

13 77.54 **(43)** The ~~gross receipts~~ sales price from the sale of and the storage, use
14 or other consumption of raw materials used for the processing, fabricating or
15 manufacturing of, or the attaching to or incorporating into, printed materials that
16 are transported and used solely outside this state.

17 **SECTION 140.** 77.54 (44) of the statutes is amended to read:

18 77.54 **(44)** The ~~gross receipts~~ sales price from the collection of public benefits
19 fees that are charged under s. 16.957 (4) (a) or (5) (a).

20 **SECTION 141.** 77.54 (45) of the statutes is amended to read:

21 77.54 **(45)** The ~~gross receipts~~ sales price from the sale of and the use or other
22 consumption of a onetime license or similar right to purchase admission to
23 professional football games at a football stadium, as defined in s. 229.821 (6), that
24 is granted by a municipality; a local professional football stadium district; or a
25 professional football team or related party, as defined in s. 229.821 (12); if the person

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1 who buys the license or right is entitled, at the time the license or right is transferred
2 to the person, to purchase admission to at least 3 professional football games in this
3 state during one football season.

4 **SECTION 142.** 77.54 (46) of the statutes is amended to read:

5 77.54 **(46)** The ~~gross receipts~~ sales price from the sale of and the storage, use,
6 or other consumption of the U.S. flag or the state flag. This subsection does not apply
7 to a representation of the U.S. flag or the state flag.

8 **SECTION 143.** 77.54 (46m) of the statutes is amended to read:

9 77.54 **(46m)** The ~~gross receipts~~ sales price from the sale of and the storage, use,
10 or other consumption of telecommunications services, if the telecommunications
11 services are obtained by using the rights to purchase telecommunications services,
12 including purchasing reauthorization numbers, by paying in advance and by using
13 an access number and authorization code; and if the tax imposed under s. 77.52 or
14 77.53 was previously paid on the sale or purchase of such rights.

15 **SECTION 144.** 77.55 (1) (intro.) of the statutes is amended to read:

16 77.55 **(1)** (intro.) There ~~are~~ is exempted from the computation of the amount
17 of the sales tax the ~~gross receipts~~ sales price from the sale of any tangible personal
18 property or services to:

19 **SECTION 145.** 77.55 (2) of the statutes is amended to read:

20 77.55 **(2)** There ~~are~~ is exempted from the computation of the amount of the sales
21 tax the ~~gross receipts~~ sales price from sales of tangible personal property to a
22 common or contract carrier, shipped by the seller via the purchasing carrier under
23 a bill of lading whether the freight is paid in advance, or the shipment is made freight
24 charges collect, to a point outside this state and the property is actually transported

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1 to the out-of-state destination for use by the carrier in the conduct of its business
2 as a carrier.

3 **SECTION 146.** 77.55 (2m) of the statutes is amended to read:

4 77.55 (2m) There ~~are~~ is exempted from the computation of the amount of sales
5 tax the ~~gross receipts~~ sales price from sales of railroad crossties to a common or
6 contract carrier, shipped wholly or in part by way of the purchasing carrier under a
7 bill of lading, whether the freight is paid in advance or the shipment is made freight
8 charges collect, to a point outside this state if the property is transported to the
9 out-of-state destination for use by the carrier in the conduct of its business as a
10 carrier. Interruption of the shipment for storage, drying, processing or creosoting of
11 the railroad crossties in this state does not invalidate the exemption under this
12 subsection.

13 **SECTION 147.** 77.55 (3) of the statutes is amended to read:

14 77.55 (3) There ~~are~~ is exempted from the computation of the amount of the sales
15 tax the ~~gross receipts~~ sales price from sales of tangible personal property purchased
16 for use solely outside this state and delivered to a forwarding agent, export packer,
17 or other person engaged in the business of preparing goods for export or arranging
18 for their exportation, and actually delivered to a port outside the continental limits
19 of the United States prior to making any use thereof.

20 **SECTION 148.** 77.56 (1) of the statutes is amended to read:

21 77.56 (1) The storage, use or other consumption in this state of property, the
22 ~~gross receipts~~ sales price from the sale of which ~~are~~ is reported to the department in
23 the measure of the sales tax, is exempted from the use tax.

24 **SECTION 149.** 77.57 of the statutes is amended to read:

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1 **77.57 Liability of purchaser.** If a purchaser certifies in writing to a seller
2 that the property purchased will be used in a manner or for a purpose entitling the
3 seller to regard the ~~gross receipts~~ sales price from the sale as exempted by this
4 subchapter from the computation of the amount of the sales tax and uses the property
5 in some other manner or for some other purpose, the purchaser is liable for payment
6 of the sales tax. The tax shall be measured by the sales price of the property to the
7 purchaser, ~~but if the taxable use first occurs more than 6 months after the sale to the~~
8 ~~purchaser, the purchaser may use as the measure of the tax either that sales price~~
9 ~~or the fair market value of the property at the time the taxable use first occurs.~~

10 **SECTION 150.** 77.58 (3) (b) of the statutes is amended to read:

11 **77.58 (3) (b)** ~~For purposes of the sales tax the return shall show the gross~~
12 ~~receipts of the seller during the preceding reporting period. For purposes of the use~~
13 ~~tax, in case of a return filed by a retailer, the return shall show the total sales price~~
14 ~~of the property or taxable services sold, the storage, use or consumption of which~~
15 ~~became subject to the use tax during the preceding reporting period. In case of a sales~~
16 ~~or use tax return filed by a purchaser, the return shall show the total sales price of~~
17 ~~the property and taxable services purchased, the storage, use or consumption of~~
18 ~~which became subject to the use tax during the preceding reporting period. The~~
19 return shall also show the amount of the taxes for the period covered by the return
20 and such other information as the department deems necessary for the proper
21 administration of this subchapter.

22 **SECTION 151.** 77.58 (6) of the statutes is amended to read:

23 **77.58 (6)** For the purposes of the sales tax ~~gross receipts,~~ the sales price from
24 rentals or leases of tangible personal property shall be reported and the tax paid in
25 accordance with such rules as the department prescribes.

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1 **SECTION 152.** 77.58 (6m) of the statutes is created to read:

2 **77.58 (6m)** (a) The department may, in cases where it is satisfied that an undue
3 hardship would otherwise result, permit the reporting of a sales price or purchase
4 price on some basis other than the accrual basis.

5 (b) The entire sales price of credit transactions shall be reported in the period
6 in which the sale is made without reduction in the amount of tax payable by the
7 retailer by reason of the retailer's transfer at a discount the open account, note,
8 conditional sales contract, lease contract, or other evidence of indebtedness.

9 **SECTION 153.** 77.58 (9a) of the statutes is created to read:

10 **77.58 (9a)** In addition to filing a return as provided in this section, a person
11 described under s. 77.524 (3), (4), or (5) shall provide to the department any
12 information that the department considers necessary for the administration of this
13 subchapter, in the manner prescribed by the department, except that the
14 department may not require that the person provide such information to the
15 department more than once every 180 days.

16 **SECTION 154.** 77.585 of the statutes is created to read:

17 **77.585 Return adjustments. (1)** (a) In this subsection, "bad debt" means
18 the portion of the sales price or purchase price that the seller has reported as taxable
19 under this subchapter and that the seller may claim as a deduction under section 166
20 of the Internal Revenue Code. "Bad debt" does not include financing charges or
21 interest, sales or use taxes imposed on the sales price or purchase price, uncollectible
22 amounts on property that remains in the seller's possession until the full sales price
23 or purchase price is paid, expenses incurred in attempting to collect any debt, debts
24 sold or assigned to 3rd parties for collection, and repossessed property.

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1 (b) A seller may claim as a deduction on a return under s. 77.58 the amount of
2 any bad debt that the seller writes off as uncollectible in the seller's books and records
3 and that is eligible to be deducted as bad debt for federal income tax purposes,
4 regardless of whether the seller is required to file a federal income tax return. A
5 seller who claims a deduction under this paragraph shall claim the deduction on the
6 return under s. 77.58 that is submitted for the period in which the seller writes off
7 the amount of the deduction as uncollectible in the seller's books and records and in
8 which such amount is eligible to be deducted as bad debt for federal income tax
9 purposes. If the seller subsequently collects in whole or in part any bad debt for
10 which a deduction is claimed under this paragraph, the seller shall include the
11 amount collected in the return filed for the period in which the amount is collected
12 and shall pay the tax with the return.

13 (c) For purposes of computing a bad debt deduction or reporting a payment
14 received on a previously claimed bad debt, any payment made on a debt or on an
15 account is applied first to the price of the property or service sold, and the
16 proportionate share of the sales tax on that property or service, and then to interest,
17 service charges, and other charges related to the sale.

18 (d) A seller may obtain a refund of the tax collected on any bad debt amount
19 deducted under par. (b) that exceeds the amount of the seller's taxable sales as
20 provided under s. 77.59 (4), except that the period for making a claim as determined
21 under s. 77.59 (4) begins on the date on which the return on which the bad debt could
22 be claimed would have been required to be submitted to the department under s.
23 77.58.

24 (e) If a seller is using a certified service provider, the certified service provider
25 may claim a bad debt deduction under this subsection on the seller's behalf if the

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1 seller has not claimed and will not claim the same deduction. A certified service
2 provider who receives a bad debt deduction under this subsection shall credit that
3 deduction to the seller and a certified service provider who receives a refund under
4 this subsection shall submit that refund to the seller.

5 (f) If a bad debt relates to the retail sales of tangible personal property or
6 taxable services that occurred in this state and in one or more other states, as
7 determined under s. 77.522, the total amount of such bad debt shall be apportioned
8 among the states in which the underlying sales occurred in a manner prescribed by
9 the department to arrive at the amount of the deduction under par. (b).

10 (2) If a lessor of tangible personal property has reimbursed the vendor for the
11 sales tax on the sale of the property by the vendor to the lessor, the tax due from the
12 lessor on the rental receipts may be offset by a credit equal to the tax otherwise due
13 on the rental receipts from the property for the reporting period. The credit shall
14 expire when the cumulative rental receipts equal the sales price upon which the
15 vendor paid sales taxes to this state.

16 (3) If a purchaser of tangible personal property has reimbursed the vendor of
17 the property for the sales tax on the sale and subsequently, before making any use
18 of the property other than retention, demonstration, or display while holding it for
19 sale or rental, makes a taxable sale of the property, the tax due on the taxable sale
20 may be offset by the tax reimbursed.

21 (4) A seller may claim a deduction on any part of the sales price or purchase
22 price that the seller refunds in cash or credit as a result of returned property or
23 adjustments in the sales price or purchase price after the sale has been completed,
24 if the seller has included the refunded price in a prior return made by the seller and
25 has paid the tax on such price, and if the seller has returned to the purchaser in cash

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1 or in credit all tax previously paid by the purchaser on the amount of the refund at
2 the time of the purchase. A deduction under this subsection shall be claimed on the
3 return for the period in which the refund is paid.

4 (5) No reduction in the amount of tax payable by the retailer is allowable in the
5 event property sold on credit is repossessed except where the entire consideration
6 paid by the purchaser is refunded to the purchaser or where a credit for a worthless
7 account is allowable under sub. (1).

8 (6) A purchaser who is subject to the use tax on the storage, use, or other
9 consumption of fuel may claim a deduction from the purchase price that is subject
10 to the use tax for fuel taxes refunded by this state or the United States to the
11 purchaser that is included in the purchase price of the fuel.

12 (7) For sales tax purposes, if a retailer establishes to the department's
13 satisfaction that the sales tax has been added to the total amount of the sales price
14 and has not been absorbed by the retailer, the total amount of the sales price shall
15 be the amount received exclusive of the sales tax imposed.

16 (8) A sale or purchase involving transfer of ownership of property is completed
17 at the time when possession is transferred by the seller or the seller's agent to the
18 purchaser or the purchaser's agent, except that for purposes of sub. (1) a common
19 carrier or the U.S. postal service shall be considered the agent of the seller, regardless
20 of any f.o.b. point and regardless of the method by which freight or postage is paid.

21 **SECTION 155.** 77.59 (2m) of the statutes is created to read:

22 77.59 (2m) The department may audit, or may authorize others to audit, sellers
23 and certified service providers who are registered with the department pursuant to
24 the agreement, as defined in s. 77.65 (2) (a).

25 **SECTION 156.** 77.59 (9) of the statutes is amended to read:

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1 77.59 (9) If any person fails to file a return, the department shall make an
2 estimate of the amount of the ~~gross receipts~~ sales price of the ~~person~~ person's sales,
3 or, as the case may be, of the amount of the total ~~sales~~ purchase price of tangible
4 personal property or taxable service sold or purchased by the person, the sale by or
5 the storage, use or other consumption of which in this state is subject to sales or use
6 tax. The estimate shall be made for the period in respect to which the person failed
7 to make a return and shall be based upon any information which is in the
8 department's possession or may come into its possession. Upon the basis of this
9 estimate the department shall compute and determine the amount required to be
10 paid to the state, adding to the sum thus arrived at a penalty equal to 25% 25 percent
11 thereof. One or more such determinations may be made for one or for more than one
12 period. When a business is discontinued a determination may be made at any time
13 thereafter, within the periods specified in sub. (3), as to liability arising out of that
14 business.

15 **SECTION 157.** 77.59 (9n) of the statutes is created to read:

16 77.59 (9n) No seller or certified service provider is liable for any deficiency or
17 refund under this subchapter that is the result of the seller or certified service
18 provider relying on erroneous information contained in a database maintained
19 under s. 73.03 (61) (e) or (f).

20 **SECTION 158.** 77.59 (9p) (b) of the statutes is created to read:

21 77.59 (9p) (b) If a customer purchases a service that is not subject to 4 USC 116
22 to 126, as amended by P.L. 106-252, or tangible personal property, and if the
23 customer believes that the amount of the tax assessed for the sale of the service or
24 property under this subchapter is erroneous, the customer may request that the
25 seller correct the alleged error by sending a written notice to the seller. The notice

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1 shall include a description of the alleged error and any other information that the
2 seller reasonably requires to process the request. Within 60 days from the date that
3 a seller receives a request under this paragraph, the seller shall review its records
4 to determine the validity of the customer's claim. If the review indicates that there
5 is no error as alleged, the seller shall explain the findings of the review in writing to
6 the customer. If the review indicates that there is an error as alleged, the seller shall
7 correct the error and shall refund the amount of any tax collected erroneously, along
8 with the related interest, as a result of the error from the customer, consistent with
9 s. 77.59 (4). A customer may take no other action, or commence any action, to correct
10 an alleged error in the amount of the tax assessed under this subchapter on a service
11 that is not subject to 4 USC 116 to 126, as amended by P.L. 106-252, or tangible
12 personal property, unless the customer has exhausted his or her remedies under this
13 paragraph.

14 **SECTION 159.** 77.59 (9r) of the statutes is created to read:

15 77.59 (9r) With regard to a purchaser's request for a refund under this section,
16 a seller is presumed to have reasonable business practices if the seller uses a certified
17 service provider, a certified automated system, as defined in s. 77.524 (1) (am), or a
18 proprietary system certified by the department to collect the taxes imposed under
19 this subchapter and if the seller has remitted to the department all taxes collected
20 under this subchapter, less any deductions, credits, or allowances.

21 **SECTION 160.** 77.60 (13) of the statutes is created to read:

22 77.60 (13) A person who uses any of the following documents in a manner that
23 is prohibited by or inconsistent with this subchapter, or provides incorrect
24 information to a seller or certified service provider related to the use of such
25 documents or regarding an exemption to the taxes imposed under this subchapter,

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1 shall pay a penalty of \$250 for each invoice or bill of sale related to the prohibited or
2 inconsistent use or incorrect information:

3 (a) An exemption certificate described under ss. 77.52 (13) and 77.53 (10).

4 (b) A direct pay permit under s. 77.52 (17m).

5 (c) A direct mail form, as defined in s. 77.522 (1) (a) 1.

6 (d) A multiple-points-of-use exemption form, as defined in s. 77.522 (1) (a) 2.

7 **SECTION 161.** 77.61 (1) (b) of the statutes is amended to read:

8 77.61 (1) (b) In the case of ~~a motor vehicle~~ motor vehicles, boats, snowmobiles,
9 mobile homes not exceeding 45 feet in length, trailers, semitrailers, all-terrain
10 vehicles, or aircraft purchased from a ~~licensed Wisconsin motor vehicle dealer~~
11 retailer, the registrant shall present proof that the tax has been paid to such ~~dealer~~
12 retailer.

13 **SECTION 162.** 77.61 (1) (c) of the statutes is amended to read:

14 77.61 (1) (c) In the case of motor vehicles, boats, snowmobiles, mobile homes
15 not exceeding 45 feet in length, trailers, semitrailers, all-terrain vehicles or aircraft
16 registered or titled, or required to be registered or titled, in this state purchased from
17 persons who are not ~~Wisconsin boat, trailer or semitrailer dealers, licensed~~
18 ~~Wisconsin aircraft, motor vehicle or mobile home dealers or registered Wisconsin~~
19 ~~snowmobile or all-terrain vehicle dealers~~ retailers, the purchaser shall file a sales
20 tax return and pay the tax prior to registering or titling the motor vehicle, boat,
21 snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer,
22 all-terrain vehicle or aircraft in this state.

23 **SECTION 163.** 77.61 (2)[✓] of the statutes is renumbered 77.61 (2) (intro.) and
24 amended to read:

25 77.61 (2) (intro.) In order to protect the revenue of the state;

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1 (a) Except as provided in par. (b), the department may require any person who
2 is or will be liable to it for the tax imposed by this subchapter to place with it, before
3 or after a permit is issued, the security, not in excess of \$15,000, that the department
4 determines. In determining the amount of security to require under this subsection,
5 the department may consider the person's payment of other taxes administered by
6 the department and any other relevant facts. If any taxpayer fails or refuses to place
7 that security, the department may refuse or revoke the permit. If any taxpayer is
8 delinquent in the payment of the taxes imposed by this subchapter, the department
9 may, upon 10 days' notice, recover the taxes, interest, costs and penalties from the
10 security placed with the department by the taxpayer in the following order: costs,
11 penalties, delinquent interest, delinquent tax. No interest may be paid or allowed
12 by the state to any person for the deposit of security. Any security deposited under
13 this subsection shall be returned to the taxpayer if the taxpayer has, for 24
14 consecutive months, complied with all the requirements of this subchapter.

15 **SECTION 164.** 77.61 (2) (b) of the statutes is created to read:

16 **77.61 (2) (b)** A certified service provider who has contracted with a seller, and
17 filed an application, to collect and remit sales and use taxes imposed under this
18 subchapter on behalf of the seller shall submit a surety bond to the department to
19 guarantee the payment of sales and use taxes, including any penalty and interest on
20 such payment. The department shall approve the form and contents of a bond
21 submitted under this paragraph and shall determine the amount of such bond. The
22 surety bond shall be submitted to the department within 60 days after the date on
23 which the department notifies the certified service provider that the certified service
24 provider is registered to collect sales and use taxes imposed under this subchapter.
25 If the department determines, with regards to any one certified service provider, that

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1 no bond is necessary to protect the tax revenues of this state, the secretary of revenue
2 or the secretary's designee may waive the requirements under this paragraph with
3 regard to that certified service provider. Any bond submitted under this paragraph
4 shall remain in force until the secretary of revenue or the secretary's designee
5 releases the liability under the bond.

6 **SECTION 165.** 77.61 (3) of the statutes is repealed.

7 **SECTION 166.** 77.61 (3m) of the statutes is created to read:

8 77.61 (3m) A retailer shall use a straight mathematical computation to
9 determine the amount of the tax that the retailer may collect from the retailer's
10 customers. The retailer shall calculate the tax amount by combining the applicable
11 tax rates under this subchapter and subch. V and multiplying the combined tax rate
12 by the sales price or purchase price of each item or invoice, as appropriate. The
13 retailer shall calculate the tax amount to the 3rd decimal place, disregard tax
14 amounts of less than 0.5 cent, and consider tax amounts of at least 0.5 cent but less
15 than 1 cent to be an additional cent. The use of a straight mathematical computation,
16 as provided in this subsection, shall not relieve the retailer from liability for payment
17 of the full amount of the tax levied under this subchapter.

18 **SECTION 167.** 77.61 (4) (c) of the statutes is amended to read:

19 77.61 (4) (c) For reporting the sales tax and collecting and reporting the use tax
20 imposed on the retailer under s. 77.53 (3) and the accounting connected with it,
21 retailers, not including certified service providers, may deduct 0.5% of those taxes
22 payable or \$10 for that reporting period required under s. 77.58 (1), whichever is
23 greater, but not more than the amount of the sales taxes or use taxes that is payable
24 under ss. 77.52 (1) and 77.53 (3) for that reporting period required under s. 77.58 (1),
25 as administration expenses if the payment of the taxes is not delinquent. For

BILL**SECTION 167**

1 purposes of calculating the retailer's discount under this paragraph, the taxes on
2 retail sales reported by retailers under subch. V, including taxes collected and
3 remitted as required under s. 77.785, shall be included if the payment of those taxes
4 is not delinquent.

5 **SECTION 168.** 77.61 (5m) of the statutes is created to read:

6 77.61 (5m) (a) In this subsection, "personally identifiable information" means
7 any information that identifies a person.

8 (b) A certified service provider may use personally identifiable information as
9 necessary only for the administration of its system to perform a seller's sales and use
10 tax functions and shall provide consumers clear and conspicuous notice of its practice
11 regarding such information, including how it collects the information, how it uses the
12 information, and under what circumstances it discloses the information.

13 (c) A certified service provider may retain personally identifiable information
14 only to verify exemption claims, to investigate fraud, and to ensure its system's
15 reliability. A certified service provider who retains an individual's personally
16 identifiable information shall provide reasonable notice of such retention to the
17 individual and shall provide the individual reasonable access to the information and
18 an opportunity to correct inaccurate information. If any person, other than a state
19 that is a signatory to the agreement, as defined in s. 77.65 (2) (a), requests access to
20 an individual's personally identifiable information, the certified service provider
21 shall make a reasonable and timely effort to notify the individual of the request.

22 (d) A certified service provider shall provide sufficient technical, physical, and
23 administrative safeguards to protect personally identifiable information from
24 unauthorized access and disclosure.

25 **SECTION 169.** 77.61 (16) of the statutes is created to read:

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1 77.61 (16) Any person who remits taxes and files returns under this subchapter
2 may designate an agent, as defined in s. 77.524 (1) (ag), to remit such taxes and file
3 such returns with the department in a manner prescribed by the department.

4 **SECTION 170.** 77.63 of the statutes is repealed and recreated to read:

5 **77.63 Collection compensation.** The following persons may retain a portion
6 of sales and use taxes collected on retail sales under this subchapter and subch. V
7 in an amount determined by the department and by contracts that the department
8 enters into pursuant to the agreement, as defined in s. 77.65 (2) (a):

9 (1) A certified service provider.

10 (2) A seller that uses a certified automated system, as defined in s. 77.524 (1)
11 (am).

12 (3) A seller that sells tangible personal property or taxable services in at least
13 5 states that are signatories to the agreement, as defined in s. 77.65 (2) (a); that has
14 total annual sales revenue of at least \$500,000,000; that has a proprietary system
15 that calculates the amount of tax owed to each taxing jurisdiction in which the seller
16 sells tangible personal property or taxable services; and that has entered into a
17 performance agreement with the states that are signatories to the agreement, as
18 defined in s. 77.65 (2) (a). For purposes of this subsection, “seller” includes an
19 affiliated group of sellers using the same proprietary system to calculate the amount
20 of tax owed in each taxing jurisdiction in which the sellers sell tangible personal
21 property or taxable services.

22 **SECTION 171.** 77.65 (2) (c) of the statutes is repealed.

23 **SECTION 172.** 77.65 (2) (e) of the statutes is amended to read:

24 77.65 (2) (e) “Seller” means any person who sells, leases, or rents tangible
25 personal property or services.

BILL**SECTION 173**

1 **SECTION 173.** 77.67 of the statutes is created to read:

2 **77.67 Amnesty for new registrants. (1)** A seller is not liable for uncollected
3 and unpaid taxes, including penalties and interest, imposed under this subchapter
4 and subch. V on sales made to purchasers in this state before the seller registers
5 under par. (a), if all of the following apply:

6 (a) The seller registers with the department, in a manner that the department
7 prescribes, to collect and remit the taxes imposed under this subchapter and subch.
8 V on sales to purchasers in this state in accordance with the agreement, as defined
9 in s. 77.65 (2) (a).

10 (b) The seller registers under par. (a) no later than 365 days after the effective
11 date of this state's participation in the agreement under s. 77.65 (2) (a) [revisor
12 inserts date].

13 (c) The seller was not registered to collect and remit the taxes imposed under
14 this subchapter and subch. V during the 365 consecutive days immediately before
15 the effective date of this state's participation in the agreement under s. 77.65 (2) (a)
16 [revisor inserts date].

17 (d) The seller has not received a notice of the commencement of an audit from
18 the department or, if the seller has received a notice of the commencement of an audit
19 from the department, the audit has not been resolved by any means, including any
20 related administrative and judicial processes, at the time that the seller registers
21 under par. (a).

22 (e) The seller has not committed or been involved in a fraud or an intentional
23 misrepresentation of a material fact.

BILL

1 (f) The seller collects and remits the taxes imposed under this subchapter and
2 subch. V on sales to purchasers in this state for at least 3 consecutive years after the
3 date on which the seller registers under par. (a).

4 (2) Subsection (1) does not apply to taxes imposed under this subchapter and
5 subch. V that are due from the seller for purchases made by the seller.

6 **SECTION 174.** 77.70 of the statutes is amended to read:

7 **77.70 Adoption by county ordinance.** Any county desiring to impose county
8 sales and use taxes under this subchapter may do so by the adoption of an ordinance,
9 stating its purpose and referring to this subchapter. The county sales and use taxes
10 may be imposed only for the purpose of directly reducing the property tax levy and
11 only in their entirety as provided in this subchapter. That ordinance shall be
12 effective on the first day of January, the first day of April, the first day of July or the
13 first day of October. A certified copy of that ordinance shall be delivered to the
14 secretary of revenue at least 120 days prior to its effective date. The repeal of any
15 such ordinance shall be effective on December 31. A certified copy of a repeal
16 ordinance shall be delivered to the secretary of revenue at least ~~60~~ 120 days before
17 the effective date of the repeal.

18 **SECTION 175.** 77.705 of the statutes is amended to read:

19 **77.705 Adoption by resolution; baseball park district.** A local
20 professional baseball park district created under subch. III of ch. 229, by resolution
21 under s. 229.68 (15), may impose a sales tax and a use tax under this subchapter at
22 a rate of no more than ~~0.1%~~ 0.1 percent of the gross receipts or sales price. Those
23 taxes may be imposed only in their entirety. The resolution shall be effective on the
24 first ~~day of the first month~~ January 1, April 1, July 1, or October 1 that begins at least
25 ~~30~~ 120 days after the adoption of the resolution.

BILL**SECTION 176**

1 **SECTION 176.** 77.706 of the statutes is amended to read:

2 **77.706 Adoption by resolution; football stadium district.** A local
3 professional football stadium district created under subch. IV of ch. 229, by
4 resolution under s. 229.824 (15), may impose a sales tax and a use tax under this
5 subchapter at a rate of ~~0.5%~~ 0.5 percent of the gross receipts or sales price. Those
6 taxes may be imposed only in their entirety. The imposition of the taxes under this
7 section shall be effective on the first ~~day of the first month~~ January 1, April 1, July
8 1, or October 1 that begins at least ~~30~~ 120 days after the certification of the approval
9 of the resolution by the electors in the district's jurisdiction under s. 229.824 (15).

10 **SECTION 177.** 77.707 (1) of the statutes is amended to read:

11 **77.707 (1)** Retailers and the department of revenue may not collect a tax under
12 s. 77.705 for any local professional baseball park district created under subch. III of
13 ch. 229 after the last day of the calendar quarter ~~during that is at least 120 days from~~
14 the date on which the local professional baseball park district board makes a
15 certification to the department of revenue under s. 229.685 (2), except that the
16 department of revenue may collect from retailers taxes that accrued before the day
17 after the last day of that calendar quarter and fees, interest and penalties that relate
18 to those taxes.

19 **SECTION 178.** 77.707 (2) of the statutes is amended to read:

20 **77.707 (2)** Retailers and the department of revenue may not collect a tax under
21 s. 77.706 for any local professional football stadium district created under subch. IV
22 of ch. 229 after the last day of the calendar quarter ~~during that is at least 120 days~~
23 from the date on which the local professional football stadium district board makes
24 all of the certifications to the department of revenue under s. 229.825 (3), except that
25 the department of revenue may collect from retailers taxes that accrued before the

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1 day after the last day of that calendar quarter and fees, interest and penalties that
2 relate to those taxes.

3 **SECTION 179.** 77.71 (1) of the statutes is amended to read:

4 77.71 (1) For the privilege of selling, licensing, leasing or renting tangible
5 personal property and for the privilege of selling, licensing, performing or furnishing
6 services a sales tax is imposed upon retailers at the rate of 0.5% 0.5 percent in the
7 case of a county tax or at the rate under s. 77.705 or 77.706 in the case of a special
8 district tax of the ~~gross receipts~~ sales price from the sale, licensing, lease or rental
9 of tangible personal property, except property taxed under sub. (4), sold, licensed,
10 leased or rented at retail in the county or special district or from selling, licensing,
11 performing or furnishing services described under s. 77.52 (2) in the county or special
12 district.

13 **SECTION 180.** 77.71 (2) of the statutes is amended to read:

14 77.71 (2) An excise tax is imposed at the rate of 0.5% 0.5 percent in the case
15 of a county tax or at the rate under s. 77.705 or 77.706 in the case of a special district
16 tax of the ~~sales~~ purchase price upon every person storing, using or otherwise
17 consuming in the county or special district tangible personal property or services if
18 the property or service is subject to the state use tax under s. 77.53, except that a
19 receipt indicating that the tax under sub. (1), (3) or (4) has been paid relieves the
20 buyer of liability for the tax under this subsection and except that if the buyer has
21 paid a similar local tax in another state on a purchase of the same property or services
22 that tax shall be credited against the tax under this subsection and except that for
23 motor vehicles that are used for a purpose in addition to retention, demonstration
24 or display while held for sale in the regular course of business by a dealer the tax

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1 under this subsection is imposed not on the sales purchase price but on the amount
2 under s. 77.53 (1m).

3 **SECTION 181.** 77.71 (3) of the statutes is amended to read:

4 77.71 (3) An excise tax is imposed upon a contractor engaged in construction
5 activities within the county or special district, at the rate of 0.5% 0.5 percent in the
6 case of a county tax or at the rate under s. 77.705 or 77.706 in the case of a special
7 district tax of the sales purchase price of tangible personal property that is used in
8 constructing, altering, repairing or improving real property and that becomes a
9 component part of real property in that county or special district, except that if the
10 contractor has paid the sales tax of a county in the case of a county tax or of a special
11 district in the case of a special district tax in this state on that property, or has paid
12 a similar local sales tax in another state on a purchase of the same property, that tax
13 shall be credited against the tax under this subsection.

14 **SECTION 182.** 77.71 (4) of the statutes is amended to read:

15 77.71 (4) An excise tax is imposed at the rate of 0.5% 0.5 percent in the case
16 of a county tax or at the rate under s. 77.705 or 77.706 in the case of a special district
17 tax of the sales purchase price upon every person storing, using or otherwise
18 consuming a motor vehicle, boat, ~~snowmobile~~, mobile home not exceeding 45 feet in
19 length, ~~trailer, semitrailer, all-terrain vehicle~~ or aircraft, if that property must be
20 registered or titled with this state and if that property is to be customarily kept in
21 a county that has in effect an ordinance under s. 77.70 or in a special district that has
22 in effect a resolution under s. 77.705 or 77.706, except that if the buyer has paid a
23 similar local sales tax in another state on a purchase of the same property that tax
24 shall be credited against the tax under this subsection.

25 **SECTION 183.** 77.72 (title) of the statutes is repealed.

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1 **SECTION 184.** 77.72 (1) of the statutes is renumbered 77.72 and amended to
2 read:

3 **77.72 General rule for property.** For the purposes of this subchapter, all
4 retail sales of tangible personal property ~~are completed at the time when, and the~~
5 ~~place where, the seller or the seller's agent transfers possession to the buyer or the~~
6 ~~buyer's agent. In this subsection, a common carrier or the U.S. postal service is the~~
7 ~~agent of the seller, regardless of any f.o.b. point and regardless of the method by~~
8 ~~which freight or postage is paid. Rentals and leases of property, except property~~
9 ~~under sub. (2), have a situs at the location of that property and taxable services occur~~
10 as provided in s. 77.522.

11 **SECTION 185.** 77.72 (2) and (3) of the statutes are repealed.

12 **SECTION 186.** 77.73 (2) of the statutes is amended to read:

13 **77.73 (2)** Counties and special districts do not have jurisdiction to impose the
14 tax under s. 77.71 (2) in regard to tangible personal property, except snowmobiles,
15 trailers, semitrailers, and all-terrain vehicles, purchased in a sale that is
16 consummated in another county or special district in this state that does not have
17 in effect an ordinance or resolution imposing the taxes under this subchapter and
18 later brought by the buyer into the county or special district that has imposed a tax
19 under s. 77.71 (2).

20 **SECTION 187.** 77.73 (3) of the statutes is created to read:

21 **77.73 (3)** Counties and special districts have jurisdiction to impose the taxes
22 under this subchapter on retailers who register under s. 77.53 (9m). A retailer who
23 registers under s. 77.53 (9m) shall collect, report, and remit to the department the
24 taxes imposed under this subchapter for all counties and special districts that have
25 an ordinance or resolution imposing the taxes under this subchapter.

BILL**SECTION 188**

1 **SECTION 188.** 77.77 (1) of the statutes is renumbered 77.77 (1) (a) and amended
2 to read:

3 77.77 (1) (a) The ~~gross receipts~~ sales price from services subject to the tax under
4 s. 77.52 (2) ~~are not~~ is subject to the taxes under this subchapter, and the incremental
5 amount of tax caused by a rate increase applicable to those services is ~~not~~ due, ~~if those~~
6 ~~services are billed to the customer and paid for before~~ beginning with the first billing
7 period starting on or after the effective date of the county ordinance, special district
8 resolution, or rate increase, regardless of whether the service is furnished to the
9 customer before or after that date.

10 **SECTION 189.** 77.77 (1) (b) of the statutes is created to read:

11 77.77 (1) (b) The sales price from services subject to the tax under s. 77.52 (2)
12 is not subject to the taxes under this subchapter, and a decrease in the tax rate
13 imposed under this subchapter on those services first applies, beginning with bills
14 rendered on or after the effective date of the repeal or sunset of a county ordinance
15 or special district resolution imposing the tax or other rate decrease, regardless of
16 whether the service is furnished to the customer before or after that date.

17 **SECTION 190.** 77.785 (1) of the statutes is amended to read:

18 77.785 (1) All retailers shall collect and report the taxes under this subchapter
19 on the ~~gross receipts~~ sales price from leases and rentals of property under s. 77.71
20 (4).

21 **SECTION 191.** 77.785 (2) of the statutes is amended to read:

22 77.785 (2) Prior to registration or titling, a retailer of a boat, ~~all-terrain vehicle,~~
23 ~~trailer and semi-trailer dealers and licensed~~ aircraft, motor vehicle, or mobile home
24 ~~and snowmobile dealers~~ shall collect the taxes under this subchapter on sales of

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1 items under s. 77.71 (4). The ~~dealer~~ retailer shall remit those taxes to the
2 department of revenue along with payments of the taxes under subch. III.

3 **SECTION 192.** 77.98 of the statutes is amended to read:

4 **77.98 Imposition.** A local exposition district under subch. II of ch. 229 may
5 impose a tax on the retail sale, except sales for resale, within the district's
6 jurisdiction under s. 229.43 of ~~products that are subject to a tax under s. 77.54 (20)~~
7 ~~(c) 1. to 3. and not~~ candy, as defined in s. 77.51 (1e), prepared food, as defined in s.
8 77.51 (10m), and soft drinks, as defined in s. 77.51 (17w), unless exempt from the
9 sales tax under s. 77.54 (1), (4), (7) (a), (7m), (9), (9a) ~~or (20) (c) 5., (20n) (b) and (c),~~
10 and (20r).

11 **SECTION 193.** 77.981 of the statutes is amended to read:

12 **77.981 Rate.** The tax under s. 77.98 is imposed on the sale of taxable products
13 at the rate of ~~0.25%~~ 0.25 percent of the ~~gross receipts~~ sales price, except that the
14 district, by a vote of a majority of the authorized members of its board of directors,
15 may impose the tax at the rate of ~~0.5%~~ 0.5 percent of the ~~gross receipts~~ sales price.
16 A majority of the authorized members of the district's board may vote that, if the
17 balance in a special debt service reserve fund of the district is less than the
18 requirement under s. 229.50 (5), the tax rate under this subchapter is ~~0.5%~~ 0.5
19 percent. The ~~0.5%~~ 0.5 percent rate shall be effective on the next January 1, April 1,
20 July 1 or October 1, and this tax is irrepealable if any bonds issued by the district and
21 secured by the special debt service reserve fund are outstanding.

22 **SECTION 194.** 77.982 (2) of the statutes is amended to read:

23 77.982 (2) Sections 77.51 (4) (a), (b) 1., 2. and 4., (c) 1. to 3. and (d) (12m), (14)
24 ~~(a) to (f), (j) and (k) and~~, (14g), (15a), and (15b), 77.52 (3), ~~(6), (3m), (4), (13), (14), (18)~~
25 and (19), 77.522, 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61 (2), (3m).

BILL**SECTION 194**

1 (5), (8), (9) ~~and~~ (12) to (14), ~~and~~ (15), and 77.62, as they apply to the taxes under
2 subch. III, apply to the tax under this subchapter. ~~Sections 77.72 (1) and~~ Section
3 77.73, as ~~they apply~~ it applies to the taxes under subch. V, ~~apply~~ applies to the tax
4 under this subchapter.

5 **SECTION 195.** 77.99 of the statutes is amended to read:

6 **77.99 Imposition.** A local exposition district under subch. II of ch. 229 may
7 impose a tax at the rate of ~~3%~~ 3 percent of the ~~gross receipts~~ sales price on the rental,
8 but not for rerental and not for rental as a service or repair replacement vehicle,
9 within the district's jurisdiction under s. 229.43, of Type 1 automobiles, as defined
10 in s. 340.01 (4) (a), by establishments primarily engaged in short-term rental of
11 passenger cars without drivers, for a period of 30 days or less, unless the sale is
12 exempt from the sales tax under s. 77.54 (1), (4), (7) (a), (7m), (9) or (9a). If the state
13 makes a payment under s. 229.50 (7) to a district's special debt service reserve fund,
14 a majority of the district's authorized board of directors may vote to increase the tax
15 rate under this subchapter to 4%.

16 **SECTION 196.** 77.991 (2) of the statutes is amended to read:

17 77.991 (2) Sections 77.51 (4) (a), (b) 1., 2. and 4., (c) 1. to 3. and (d) and (12m),
18 (14) (a) to (f), (j) and (k), (14g), (15a), and (15b), 77.52 (3), (3m), (4), (6), (13), (14) and
19 (18), ~~and~~ (19), 77.522, 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61 (2),
20 (3m), (5), (8), (9) ~~and~~ (12) to (14), ~~and~~ (15), and 77.62, as they apply to the taxes under
21 subch. III, apply to the tax under this subchapter. ~~Sections 77.72 (1) and (2) (a) and~~
22 Section 77.73, as ~~they apply~~ it applies to the taxes under subch. V, ~~apply~~ applies to
23 the tax under this subchapter. The renter shall collect the tax under this subchapter
24 from the person to whom the passenger car is rented.

25 **SECTION 197.** 77.994 (1) (intro.) of the statutes is amended to read:

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1 77.994 (1) (intro.) Except as provided in sub. (2), a municipality or a county all
2 of which is included in a premier resort area under s. 66.1113 may, by ordinance,
3 impose a tax at a rate of 0.5% 0.5 percent of the ~~gross receipts~~ sales price from the
4 sale, license, lease, or rental in the municipality or county of goods or services that
5 are taxable under subch. III made by businesses that are classified in the standard
6 industrial classification manual, 1987 edition, published by the U.S. office of
7 management and budget, under the following industry numbers:

8 **SECTION 198.** 77.9941 (4) of the statutes is amended to read:

9 77.9941 (4) Sections 77.72 ~~(1), (2) (a) and (3) (a)~~, 77.73, 77.74, 77.75, 77.76 (1),
10 (2), and (4), 77.77 (1) and (2), 77.785 (1), and 77.79, as they apply to the taxes under
11 subch. V, apply to the tax under this subchapter.

12 **SECTION 199.** 77.995 (2) of the statutes is amended to read:

13 77.995 (2) There is imposed a fee at the rate of 3% 3 percent, or 5% 5 percent
14 for the rental of limousines, of the ~~gross receipts~~ sales price on the rental, but not for
15 rerental and not for rental as a service or repair replacement vehicle of Type 1
16 automobiles, as defined in s. 340.01 (4) (a); of mobile homes, as defined in s. 340.01
17 (29); of motor homes, as defined in s. 340.01 (33m); and of camping trailers, as defined
18 in s. 340.01 (6m) by establishments primarily engaged in short-term rental of
19 vehicles without drivers, for a period of 30 days or less, unless the sale is exempt from
20 the sales tax under s. 77.54 (1), (4), (7) (a), (7m) or (9a).

21 **SECTION 200.** 77.9951 (2) of the statutes is amended to read:

22 77.9951 (2) Sections 77.51 ~~(4) (a), (b) 1., 2. and 4., (c) 1. to 3. and (d) and (12m).~~
23 (14) ~~(a) to (f), (j) and (k), (15a), and (15b)~~, 77.52 ~~(3m)~~, (4), ~~(6)~~, (13), (14) ~~and~~, (18), ~~and~~
24 ~~(19)~~, 77.522 (2), 77.58 (1) to (5), ~~(6m)~~, and (7), 77.585, 77.59, 77.60, 77.61 (2), ~~(3m)~~,
25 (5), (8), (9) ~~and~~, (12) to (14), and (15), and 77.62, as they apply to the taxes under

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SECTION 200

1 subch. III, apply to the fee under this subchapter. The renter shall collect the fee
2 under this subchapter from the person to whom the vehicle is rented.

3 **SECTION 201.** 77.996 (6) of the statutes is amended to read:

4 77.996 (6) "Gross receipts" ~~has the meaning given in s. 77.51 (4) (a), (b) 1. and~~
5 ~~5., (c) 1. to 4., and (d) means the sales price, as defined in s. 77.51 (15b), of tangible~~
6 ~~personal property and taxable services sold by a dry cleaning facility.~~ "Gross
7 receipts" does not include the license fee imposed under ~~s. 77.9661 (1m) s. 77.9961~~
8 ~~(1m)~~ that is passed on to customers.

9 **SECTION 202.** 86.195 (3) (b) 3. of the statutes is amended to read:

10 86.195 (3) (b) 3. Fifty percent of the gross receipts of the business are from ~~meal,~~
11 ~~food, the sale of food product and beverage sales and food ingredients, as defined in~~
12 ~~s. 77.51 (3t), that are taxable under s. 77.54 (20) (c) subch. III of ch. 77; and~~

13 **SECTION 203.** 218.0171 (2) (cq) of the statutes is amended to read:

14 218.0171 (2) (cq) Upon payment of a refund to a consumer under par. (b) 2. b.,
15 the manufacturer shall provide to the consumer a written statement that specifies
16 the trade-in amount previously applied under s. 77.51 (4) (b) 3. ~~or 3m. or (15) (b) 4.~~
17 ~~or 4m. (12m) (b) 5. or 6. or (15b) (b) 5. or 6.~~ toward the sales price of the motor vehicle
18 having the nonconformity and the date on which the manufacturer provided the
19 refund.

20 **SECTION 204.** Nonstatutory provisions.

21 (1) THE STREAMLINED SALES AND USE TAX AGREEMENT. The department of revenue
22 shall notify the revisor of statutes of the effective date of this state's participation in
23 the streamlined sales and use tax agreement, as described in section 77.65 of the
24 statutes, no later than 30 days after such effective date is determined.

25 **SECTION 205.** Appropriation changes.

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(1) ADMINISTRATIVE COSTS RELATED TO THE STREAMLINED SALES AND USE TAX AGREEMENT. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of revenue under section 20.566 (1) (a) of the statutes, as affected by the acts of 2005, the dollar amount is increased by \$25,000 for fiscal year 2004-05 and the dollar amount is increased by \$25,000 for fiscal year 2005-06 to pay for administrative costs related to the streamlined sales and use tax agreement.

SECTION 206. Effective date.

(1) This act takes effect on October 1, 2005.

(END)

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statutes, as affected by the acts of 2003, the dollar amount is increased by \$25,000 for fiscal year 2003-04 and the dollar amount is increased by \$25,000 for fiscal year 2004-05 to pay for administrative costs related to the streamlined sales and use tax agreement.

SECTION 9445. Effective dates; revenue.

(1) IMPLEMENTING THE STREAMLINED SALES AND USE TAX AGREEMENT. The repeal of sections 77.51 (4), 77.51 (14) (d), 77.51 (14) (f), 77.51 (14r), 77.51 (15), 77.52 (6), 77.52 (14) (a) 2., 77.523 (title), 77.53 (4), 77.54 (14g), 77.54 (14s), 77.54 (20), 77.54 (20m), 77.54 (22), 77.54 (28), 77.54 (40), 77.61 (3), 77.72 (title), and 77.72 (2) and (3) of the statutes, the renumbering of sections 77.51 (1), 77.524 (1) (b), and 77.61 (1) (a) of the statutes, the renumbering and amendment of sections 77.52 (1), 77.523, and 77.61 (2), 77.72 (1) of the statutes, the consolidation, renumbering, and amendment of section 77.52 (14) (a) (intro.) and 1. and (b) of the statutes, the amendment of sections 66.0615 (1m) (f) 2., 70.111 (23), 73.03 (50) (d), 76.07 (4g) (b) 8., 77.51 (13) (o), 77.51 (14) (intro.), 77.51 (17), 77.51 (20), 77.51 (21), 77.52 (2) (intro.), 77.52 (2) (a) 10., 77.52 (7), 77.52 (13), 77.52 (15), 77.53 (1), 77.53 (9), 77.53 (10), 77.53 (11), 77.53 (16), 77.53 (17), 77.53 (17m), 77.53 (17r) (a), 77.53 (18), 77.54 (1), 77.54 (2), 77.54 (2m), 77.54 (3) (a), 77.54 (3m) (intro.), 77.54 (4), 77.54 (5) (intro.), 77.54 (6) (intro.), 77.54 (8), 77.54 (9), 77.54 (9a) (intro.), 77.54 (10), 77.54 (11), 77.54 (12), 77.54 (13), 77.54 (14) (intro.), 77.54 (14) (a), 77.54 (14) (b), 77.54 (14) (f), 77.54 (15), 77.54 (16), 77.54 (17), 77.54 (18), 77.54 (21), 77.54 (23m), 77.54 (25), 77.54 (26), 77.54 (26m), 77.54 (27), 77.54 (29), 77.54 (30) (a) (intro.), 77.54 (30) (c), 77.54 (31), 77.54 (32), 77.54 (33), 77.54 (34), 77.54 (35), 77.54 (36), 77.54 (37), 77.54 (38), 77.54 (39), 77.54 (41), 77.54 (42), 77.54 (43), 77.54 (44), 77.54 (45), 77.54 (46), 77.54 (46m), 77.55 (1) (intro.), 77.55 (2), 77.55 (2m), 77.55 (3), 77.56 (1), 77.57, 77.58 (3) (b), 77.58 (6), 77.59 (9), 77.61

plain

1 (1) (b), 77.61 (1) (c), 77.70, 77.705, 77.706, 77.707 (1), 77.707 (2), 77.71 (1), 77.71 (2),
 2 77.71 (3), 77.71 (4), 77.71 (1), 77.73 (2), 77.785 (1), 77.785 (2), 77.98, 77.981, 77.982 (2), 77.99,
 3 77.991 (2), 77.994 (1) (intro.), 77.9941 (4), 77.995 (2), 77.9951 (2), 77.996 (6), 86.195 (3) (b) 3., and
 4 218.0171 (2) (eq) of the statutes, the repeal and recreation of section 77.51 (7) of the 77.51 (17m), and 77.63
 5 statutes, and the creation of sections 73.03 (50b), 73.03 (59), 77.51 (1b), 77.51 (1e),
 6 77.51 (1n), 77.51 (1p), 77.51 (2k), 77.51 (2m), 77.51 (3p), 77.51 (3pd), 77.51 (3pj), 77.51
 7 (3pm), 77.51 (3pp), 77.51 (3t), 77.51 (7m), 77.51 (10m), 77.51 (10n), 77.51 (10r), 77.51
 8 (11m), 77.51 (12m), 77.51 (12p), 77.51 (13s), 77.51 (15a), 77.51 (17w), 77.51 (22) (bm),
 9 77.51 (24p), 77.52 (1) (b), 77.52 (1) (c), 77.52 (7b), 77.522, 77.54 (20n), 77.54 (22b),
 10 77.58 (6m), 77.585, 77.59 (2m), 77.59 (9n), 77.59 (9p) (b), 77.59 (9r), 77.60 (13), 77.61
 11 (1) (ag), 77.61 (3m), 77.61 (5m), 77.61 (16), 77.67, 77.73 (3), 77.77 (1) (b),
 12 take effect on the first day of the 3rd month beginning after publication.

13

(2) (b)

(END)

(end ins)

77.524 (1) (ag), 77.53
 (9m) (2), 77.53 (9m) (c),
 77.54 (14b),

October 1, 2005

Kreye, Joseph

From: Gibbons, Vicki L
Sent: Monday, January 24, 2005 8:46 AM
To: Kreye, Joseph
Cc: Lashore, Patricia M; Kraus, Jennifer - DOA
Subject: RE: LRB Draft: 05-0303/1 Streamlined sales and use tax provisions

Joe,

Pat asked that I respond to your e-mail. That was my mistake. After "bad faith" an exception should be added that such lease or rental requiring only one payment occurs at the location under (1)(b).

Also on page 31, line 23 of the original LRB draft, ", trailers" should be added after "motor vehicles." The scanned draft did not pick up that change.

Vicki L. Gibbons
Staff Specialist
Wisconsin Department of Revenue
P.O. Box 8933
Madison, WI 53708
(608) 266-3873
vgibbons@dor.state.wi.us

-----Original Message-----

From: Lashore, Patricia M
Sent: Monday, January 24, 2005 8:16 AM
To: Gibbons, Vicki L
Subject: FW: LRB Draft: 05-0303/1 Streamlined sales and use tax provisions

Would you please answer this directly to Joe Kreye, and copy Jennifer Kraus and me? Thanks.

-----Original Message-----

From: Kreye, Joseph [mailto:Joseph.Kreye@legis.state.wi.us]
Sent: Sunday, January 23, 2005 11:01 AM
To: Kraus, Jennifer - DOA
Cc: Lashore, Patricia M; Brennan, Audra D; Collier, Dennis J
Subject: RE: LRB Draft: 05-0303/1 Streamlined sales and use tax provisions

The redraft instructions indicate that on page 32, line 3, the following should be added to the after "faith": "except that such lease or rental only one payment occur at the loction under (1) (b)." As you can see, that makes no sense. Please clarify so that I may finish the redraft.

Joseph T. Kreye

Legislative Attorney
Legislative Reference Bureau
(608) 266-2263

-----Original Message-----

From: Kraus, Jennifer - DOA
Sent: Friday, January 21, 2005 12:07 AM
To: Kreye, Joseph
Subject: FW: LRB Draft: 05-0303/1 Streamlined sales and use tax provisions

DOR feedback on this draft....Jennifer

-----Original Message-----

From: Lashore, Patricia M
Sent: Thursday, January 20, 2005 3:47 PM

To: Kraus, Jennifer - DOA
Cc: Brennan, Audra D; Collier, Dennis J
Subject: LRB Draft: 05-0303/1 Streamlined sales and use tax provisions

Here are edits/comments on this draft:

<< File: 0303-1 SSTP Bill.pdf >> << File: Inserts to LRB 0303-1 2005.doc >>

1 77.52 (1) (c) For the privilege of leasing property that is affixed to real property,
2 a tax is imposed on all retailers at the rate of 5 percent of the sales price from the lease
3 of such property, if the lessor has the right to remove the leased property upon breach
4 or termination of the lease agreement, unless the lessor of the leased property is also
5 the lessor of the real property to which the leased property is affixed.

6 SECTION 56. 77.52 (2) (intro.) of the statutes is amended to read:

7 77.52 (2) (intro.) For the privilege of selling, licensing, performing or furnishing
8 the services described under par. (a) at retail in this state to consumers or users, a
9 tax is imposed upon all persons selling, licensing, performing or furnishing the
10 services at the rate of 5% 5 percent of the ~~gross receipts~~ sales price from the sale,
11 license, performance or furnishing of the services.

12 SECTION 57. 77.52 (2) (a) 10. of the statutes is amended to read:

X Insert 1

13 77.52 (2) (a) 10. Except for installing or applying tangible personal property
14 which, when installed or applied, will constitute an addition or capital improvement
15 of real property, the repair, service, alteration, fitting, cleaning, painting, coating,
16 towing, inspection, and maintenance of all items of tangible personal property
17 unless, at the time of such repair, service, alteration, fitting, cleaning, painting,
18 coating, towing, inspection, or maintenance, a sale in this state of the type of property
19 repaired, serviced, altered, fitted, cleaned, painted, coated, towed, inspected, or
20 maintained would have been exempt to the customer from sales taxation under this
21 subchapter, other than the exempt sale of a motor vehicle or truck body to a
22 nonresident under s. 77.54 (5) (a) and other than nontaxable sales outside this state
23 under s. ~~77.51 (14f)~~ 77.522. For purposes of this paragraph, the following items shall
24 be considered to have retained their character as tangible personal property,
25 regardless of the extent to which any such item is fastened to, connected with, or built

1 personal property related to the items is an addition to or a capital improvement of
2 real property, except that the tax imposed under this subsection does not apply to the
3 original installation or the complete replacement of an item listed in this subdivision,
4 if such installation or replacement is a real property construction activity under s.

5 77.51 (2).

6 X X *Repeal sec. 77.52(3m) (- it's already addressed in 77.522(3)(f))*
SECTION 58. 77.52 (6) of the statutes is repealed.

7 SECTION 59. 77.52 (7) of the statutes is amended to read:

8 77.52 (7) Every person desiring to operate as a seller within this state who
9 holds a valid certificate under s. 73.03 (50) shall file with the department an
10 application for a permit for each place of operations. Every application for a permit
11 shall be made upon a form prescribed by the department and shall set forth the name
12 under which the applicant intends to operate, the location of the applicant's place of
13 operations, and the other information that the department requires. The Except as
14 provided in sub. (7b), the application shall be signed by the owner if a sole proprietor;
15 in the case of sellers other than sole proprietors, the application shall be signed by
16 the person authorized to act on behalf of such sellers. A nonprofit organization that
17 has ~~gross receipts~~ a sales price taxable under s. 77.54 (7m) shall obtain a seller's
18 permit and pay taxes under this subchapter on all taxable ~~gross receipts~~ sales prices
19 received after it is required to obtain that permit. If that organization becomes
20 eligible later for the exemption under s. 77.54 (7m) except for its possession of a
21 seller's permit, it may surrender that permit.

22 SECTION 60. 77.52 (7b) of the statutes is created to read:

23 77.52 (7b) Any person who may register under sub. (7) may designate an agent,
24 as defined in s. 77.524 (1) (ag), to register with the department under sub. (7), in the
25 manner prescribed by the department.

1 **SECTION 65.** 77.522 of the statutes is created to read:

2 **77.522 Sourcing. (1) GENERAL.** (a) In this section:

3 1. “Direct mail form” means a form for direct mail prescribed by the
4 department.

5 2. “Multiple-points-of-use exemption form” means the
6 multiple-points-of-use exemption form, as prescribed by the department.

7 3. “Product” includes tangible personal property, digital goods, and services.

8 4. “Receive” means taking possession of tangible personal property; making
9 first use of services; or taking possession or making first use of digital goods,
10 whichever comes first. “Receive” does not include a shipping company taking
11 possession of tangible personal property on a purchaser’s behalf.

12 5. “Transportation equipment” means all of the following:

13 a. Locomotives and railcars that are used to carry persons or property in
14 interstate commerce.

15 b. Trucks and truck tractors that have a gross vehicle weight rating of 10,001
16 pounds or greater, trailers, semitrailers, and passenger buses, if such vehicles are
17 registered under the International Registration Plan and operated under the
18 authority of a carrier that is authorized by the federal government to carry persons
19 or property in interstate commerce.

20 c. Aircraft that is operated by air carriers that are authorized by the federal
21 government or a foreign authority to carry persons or property in interstate ^{or foreign}
22 commerce.

23 d. Containers that are designed for use on the vehicles described in subd. 5. a.
24 to c. and component parts attached to or secured on such vehicles.

1 (c) The sale of direct mail occurs at the location from which the direct mail is
2 shipped, if the purchaser does not provide to the seller a direct pay permit, a direct
3 mail form, or other information that indicates the appropriate taxing jurisdiction to
4 which the direct mail is delivered to the ultimate recipients. If the purchaser
5 provides a direct mail form^{or direct pay permit} to the seller, the purchaser shall pay or remit, as
6 appropriate, to the department the tax imposed under s. 77.53 (1) on all purchases
7 for which the tax is due and the seller is relieved from liability for collecting such tax.

X 8 (d) 1. If the service, digital good, or computer software is delivered
9 electronically, a business purchaser who purchases a service, digital good, or
X 10 computer software^{delivered electronically,} who does not hold a direct pay permit under s. 77.52 (17m), and
X 11 who knows at the time^{of purchase} that the purchaser purchases such service, good, or software
X 12 that the service, good, or software will be concurrently available for use in more than
13 one taxing jurisdiction shall provide a multiple-points-of-use exemption form to the
14 seller, in conjunction with the purchase, and shall pay or remit, as appropriate, to the
15 department the tax imposed under s. 77.53 (1) on all purchases for which the tax is
16 due.

17 2. To apportion the amount of the tax due multiple taxing jurisdictions, a
18 purchaser who provides an exemption form under subd. 1. shall use any reasonable,
19 consistent, and uniform apportionment method supported by the purchaser's
20 business records that exist at the time of the sale.

21 3. An exemption form provided under subd. 1. shall remain effective for all sales
22 by the seller who received the form to the purchaser who provided the form, unless
23 the purchaser revokes the form in writing and provides such a revocation to the
24 seller.

duplicate for direct
mail
form

X 1 4. If the service, digital good, or computer software is delivered electronically,
2 A business purchaser who purchases a service, digital good, or computer software, ^{delivered electronically}
3 who holds a direct pay permit under s. 77.52 (17m), and who knows at the time ^{of purchase} that
X 4 the purchaser purchases such service, good, or software that the service, good, or
5 software will be concurrently available for use in more than one taxing jurisdiction
6 is not required to provide a multiple-points-of-use exemption form to the seller, but
7 shall collect, pay, or remit, as appropriate, to the department the tax imposed under
8 s. 77.53 (1) and shall use the apportionment method described under par. (b) to
9 apportion the tax due multiple taxing jurisdictions.

10 5. A seller who receives a multiple-points-of-use exemption form under this
11 paragraph is relieved from liability for collecting the tax imposed under s. 77.53 (1)
12 on purchases related to the multiple-points-of-use exemption form.

13 (2) LEASE OR RENTAL. (a) Except as provided in pars. (b) and (c), with regards
14 to the first or only payment on the lease or rental, ^{the} the lease or rental of tangible
X 15 personal property occurs at the location determined under sub. (1) (b) ⁽¹⁾. If the
16 property is moved from the place where the property was initially delivered, the
17 subsequent periodic payments on the lease or rental occur at the property's primary
18 location as indicated by an address for the property that is provided by the lessee and
19 that is available to the lessor in records that the lessor maintains in the ordinary
20 course of the lessor's business, if the use of such an address does not constitute bad
21 faith. The location of a lease or rental as determined under this paragraph shall not
22 be altered by any intermittent use of the property at different locations.

23 (b) The lease or rental of motor vehicles, semitrailers, and aircraft, that are not
24 transportation equipment, occurs at the primary location of such motor vehicles,
25 semitrailers, or aircraft as indicated by an address for the property that is provided

except that such lease or rental
only one payment occur at the location under (1)(b)

1 by the lessee and that is available to the lessor in records that the lessor maintains
2 in the ordinary course of the lessor's business, if the use of such an address does not
X 3 constitute bad faith. The location of a lease or rental as determined under this
4 paragraph shall not be altered by any intermittent use of the property at different
5 locations.

6 (c) The lease or rental of transportation equipment occurs at the location
X 7 determined under sub. (1) (b) (1).

(d) A license shall be treated like a lease or rental under this section.
X 8 (3) TELECOMMUNICATIONS. (a) In this subsection:

9 1. "Air-to-ground radiotelephone service" means a radio service in which
10 common carriers are authorized to offer and provide radio telecommunications
11 service for hire to subscribers in aircraft.

12 2. "Call-by-call basis" means any method of charging for telecommunications
13 services by which the price of such services is measured by individual calls.

14 3. "Communications channel" means a physical or virtual path of
15 communications over which signals are transmitted between or among customer
16 channel termination points.

17 4. "Customer" means a person who enters into a contract with a seller of
18 telecommunications services or, in any transaction for which the end user is not the
19 person who entered into a contract with the seller of telecommunications services,
20 the end user of the telecommunications services. "Customer" does not include a
21 person who resells telecommunications services or, for mobile telecommunications
22 services, a serving carrier under an agreement to serve a customer outside the home
23 service provider's licensed service area.

24 5. "Customer channel termination point" means the location where a customer
25 inputs or receives communications.

1 **SECTION 184.** 77.72 (1) of the statutes is renumbered 77.72 and amended to
2 read:

3 **77.72 General rule for property.** For the purposes of this subchapter, all
4 retail sales of tangible personal property ~~are completed at the time when, and the~~
5 ~~place where, the seller or the seller's agent transfers possession to the buyer or the~~
6 ~~buyer's agent. In this subsection, a common carrier or the U.S. postal service is the~~
7 ~~agent of the seller, regardless of any f.o.b. point and regardless of the method by~~
8 ~~which freight or postage is paid. Rentals and leases of property, except property~~
9 ~~under sub. (2), have a situs at the location of that property and taxable services occur~~
10 as provided in s. 77.522.

11 **SECTION 185.** 77.72 (2) and (3) of the statutes are repealed.

12 **SECTION 186.** 77.73 (2) of the statutes is amended to read:

13 **77.73 (2)** Counties and special districts do not have jurisdiction to impose the
14 tax under s. 77.71 (2) in regard to tangible personal property, except snowmobiles,
15 trailers, semitrailers, and all-terrain vehicles, purchased in a sale that is
16 consummated in another county or special district in this state that does not have
17 in effect an ordinance or resolution imposing the taxes under this subchapter and
18 later brought by the buyer into the county or special district that has imposed a tax
19 under s. 77.71 (2).

20 **SECTION 187.** 77.73 (3) of the statutes is created to read:

21 **77.73 (3)** Counties and special districts have jurisdiction to impose the taxes
22 under this subchapter on retailers who register under s. 77.53 (9m). A retailer who
23 registers under s. 77.53 (9m) shall collect, report, and remit to the department the
24 taxes imposed under this subchapter for all counties and special districts that have
25 an ordinance or resolution imposing the taxes under this subchapter.

X Insert 2

1 **SECTION 188.** 77.77 (1) of the statutes is renumbered 77.77 (1) (a) and amended
2 to read:

3 77.77 (1) (a) ~~The gross receipts sales price~~ ^{or the lease, rental or license of tangible personal property} from services subject to the tax under
4 s. 77.52 (2) ~~are not~~ ^{is} subject to the taxes under this subchapter, and the incremental
5 amount of tax caused by a rate increase applicable to those services ^{, leases, rentals, or licenses} ~~is not~~ due, if those
6 services ~~are billed to the customer and paid for before beginning with the first billing~~
7 period starting on or after the effective date of the county ordinance, special district
8 resolution, or rate increase, regardless of whether the service is furnished ^{or property is leased,} to the ^{rented}
9 customer before or after that date. ^{or} ^{licensed}

10 **SECTION 189.** 77.77 (1) (b) of the statutes is created to read:

11 77.77 (1) (b) The sales price from services subject to the tax under s. 77.52 (2)
12 ^{or the lease, rental or license of tangible personal property} ~~is not~~ ^{is} subject to the taxes under this subchapter, and a decrease in the tax rate
13 imposed under this subchapter on those services first applies, beginning with bills
14 rendered on or after the effective date of the repeal or sunset of a county ordinance
15 or special district resolution imposing the tax or other rate decrease, regardless of
16 whether the service is furnished to the customer before or after that date. ^{or property is leased, rented, or licensed}

17 ^{Repeal 77.77 (2) and renumber (3) to (2)}
18 **SECTION 190.** 77.785 (1) of the statutes is amended to read:

19 77.785 (1) All retailers shall collect and report the taxes under this subchapter
20 on the ~~gross receipts~~ sales price from leases and rentals of property under s. 77.71
21 (4).

22 **SECTION 191.** 77.785 (2) of the statutes is amended to read:

23 77.785 (2) Prior to registration or titling, a retailer of a boat, all-terrain vehicle,
24 ~~trailer and semi-trailer dealers and licensed aircraft, motor vehicle, or mobile home~~
~~and snowmobile dealers~~ shall collect the taxes under this subchapter on sales of

Insert 1

Amend sec. 77.52(2)(a)5.a., Wis. Stats., as follows:

a. The sale of telecommunications services, except services subject to 4 USC 116 to 126, as amended by P.L. 106-252, that either originate or terminate in this state; except services that are obtained by means of a toll-free number, that originate outside this state and that terminate in this state; and are charged to a service address in this state, regardless of the location where that charge is billed or paid; and the sale of the rights ~~to purchase telecommunications services, including purchasing reauthorization numbers, by paying in advance and by using an access number and authorization code~~ a prepaid calling service as defined in sec. 77.522(3)(a)11, Stats., except sales that are subject to subd. 5. b.

Insert 2

Amend sec. 77.75, Wis. Stats., as follows:

77.75 Reports. Every person subject to county or special district sales and use taxes shall, for each reporting period, record that person's sales made in the county or special district that has imposed those taxes separately from sales made elsewhere in this state and file a report of the measure of the county or special district sales and use taxes and the tax due thereon separately as prescribed by the department.

(Note to revisor: For the simplified electronic returns, the seller will only report the taxes due and not the measure of tax).